

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS**

FILED BY  D.C.

05 OCT 20 PM 3: 39

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENNESSEE

SHELIA UPSHAW,

Plaintiff,

v.

AMERICAN INTERNATIONAL GROUP, INC.;
AMERICAN GENERAL CORPORATION;
AMERICAN GENERAL FINANCE, INC.;
AMERICAN GENERAL FINANCIAL SERVICES, INC.;
MERIT LIFE INSURANCE COMPANY;
YOSEMITE INSURANCE COMPANY;
LISA SEAWRIGHT; and Fictitious Defendants "A", "B",
and "C", whether singular or plural, those other persons,
corporations, firms, or other entities whose wrongful
conduct caused the injuries and damages to the Plaintiff,
all of whose true and correct names are unknown to
Plaintiff at this time, but will be substituted
by amendment when ascertained,

Defendants.

Civil Action No. 05-2653 Mc V

**INTERIM AGREED ORDER GRANTING
THE PARTIES'
AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S MOTION TO REMAND**

It appearing to the Court that without entry of this Interim Agreed Order: (1) Plaintiff will not have sufficient time to prepare and file an opposition to American General Financial Services, Inc.'s ("AGFS"), Merit Life Insurance Company's ("Merit") and Yosemite Insurance Company's ("Yosemite")(collectively "Defendants") Motion for Extension of Time to Complete Remand-Related Discovery and the Court will not have sufficient time to consider Defendants' motion and Plaintiff's opposition prior to the time when Defendants would otherwise have to file

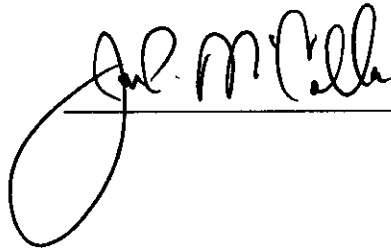
(12)

their opposition to Plaintiff's Motion to Remand; and (2) that Defendants' Motion for Extension of Time to Complete Remand-Related Discovery raises significant issues that should be resolved prior to Defendants having to prepare and file an opposition to Plaintiff's Motion to Remand,

It is hereby ORDERED that:

- (1) In the event the Court grants Defendants' pending Motion for Extension of Time to Complete Remand Related Discovery, the Court's Order will set the date by which all Defendants must respond to Plaintiff's Motion to Remand;
- (2) Alternatively, in the event the Court denies Defendants' pending Motion for Extension of Time to Complete Remand Related Discovery, all Defendants' shall have ten business days after service of any such Order upon the Parties by which time to file their Memorandum in Opposition to Remand;
- (3) This Interim Agreed Order is without prejudice to the Court's consideration of Defendants' pending Motion for Extension of Time to Complete Remand Related Discovery, which shall be separately considered and adjudicated by the Court; and
- (4) Nothing in this Interim Agreed Order shall constitute an admission by Plaintiff that Defendants' pending Motion for Extension of Time to Complete Remand Related Discovery, is meritorious or should be granted.

SO ORDERED, this the 20 day of October, 2005.



MEMPHIS 175280v1



Notice of Distribution

This notice confirms a copy of the document docketed as number 12 in case 2:05-CV-02653 was distributed by fax, mail, or direct printing on October 21, 2005 to the parties listed.

Jimmy Moore
CIRCUIT COURT, 30TH JUDICIAL DISTRICT
140 Adams Ave.
Rm. 224
Memphis, TN 38103

Daniel Warren Van Horn
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC- Memphis
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Frank M. Holbrook
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

T. Louis Coppedge
MAYNARD COOPER & GALE
1901 Sixth Ave., N.
Ste. 2400
Birmingham, AL 35203--260

Clinton C. Carter
BEASLEY ALLEN CROW METHVIN PORTIS & MILES, PC
272 Commerce St.
P.O. Box 4160
Montgomery, AL 36103--416

Patrick Ryan Beckett
BUTTER SNOW O'MARA STEVENS & CANNADA, PLLC
P.O. Box 22567
Jackson, MS 39225--256

Honorable Jon McCalla
US DISTRICT COURT